

Atty Docket No. 02307K-141312US

PTO FAX NO.: 703-872-9306

ATTENTION: Examiner Thaian N. Ton
TELEPHONE NO.: 571-272-0736

OFFICIAL
Group Art Unit 1632

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EXAMINER

CERTIFICATION OF FACSIMILE TRANSMISSION

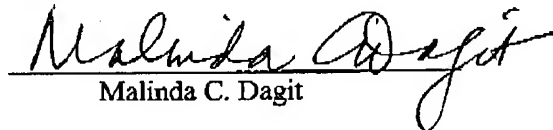
I hereby certify that the following documents in re Application of Charles L. Sawyers et al., Application No. 10/022,115, filed December 14, 2001 for MICE MODELS OF HUMAN PROSTATE CANCER PROGRESSION are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Response to Restriction Requirement
2. copy of Revocation of Power of Attorney with New Power and Change of Correspondence Address already filed in this case

Number of pages being transmitted, including this page: 6

Dated: April 12, 2004


Malinda C. Dagit

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RETURN FACSIMILE AT (415) 576-0300**

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 415-576-0200
Fax: 415-576-0300

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I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office,
Fax No. 1-703-872-9306 on 12 April 2004

PATENT

Attorney Docket no. 02307K-1413-12US

Client ref. no. 96-540-4

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By: Malinda AdelfRECEIVED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sawyers *et al.*

Application No.: 10/022,115

Filed: December 14, 2001

For: MICE MODELS OF HUMAN
PROSTATE CANCER PROGRESSION

Customer No.: 20350

Confirmation No. 4057

Examiner: Thaian N. Ton

Art Unit: 1632

RESPONSE TO RESTRICTION
REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 10, 2004, Applicants elect Group I, claims 21-26, drawn to methods for assess the effect of a composition or treatment on human prostate cancer using an immune deficient mouse comprising a human prostate cancer xenograft. The foregoing election is made with traverse.

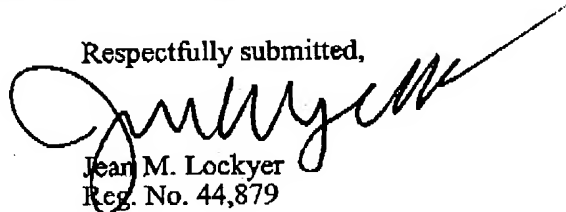
According to the MPEP, where claims can be examined together without undue burden, the Examiner must examine the claims on the merits even though they are directed to independent and distinct inventions. See, the MPEP at 803.01. In establishing that an "undue burden" would exist for co-examination of claims, the Examiner must show that examination of the claims would involve substantially different prior art searches, making the co-examination burdensome. Applicants respectfully submit that as the inventions in the five Groups are related, examination of the three groups together would not create an undue burden. Applicants therefore respectfully request withdrawal of the restriction requirement.

Applicant: Sawyers *et al.*
Application No.: 10/022,115
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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Jean M. Lockyer
Reg. No. 44,879

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
JML/mcd
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